

ATTICA TOWNSHIP BOARD MEETING

February 9, 2017

Nancy Herpolsheimer, Clerk

At a meeting of the Attica Township Board held February 9, 2017, at the Attica Township Hall, 4350 Peppermill Road, Attica, Michigan. The meeting was called to order at 7 p.m. by Supervisor Ochadleus. PRESENT: Supervisor Al Ochadleus, Treasurer Pam Mason, Clerk Nancy Herpolsheimer, Trustee Rich Lacey and Trustee Phil Madeline. Absent: None. ALSO PRESENT: Attorney Gildner and the public per the sign-in sheet attached.

Pledge of allegiance led by Chief Warford.

**ACCEPT AGENDA:**

**MOTION** by Lacey, seconded by Madeline, to accept the agenda as presented. A vote was taken. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

**REVIEW MINUTES:**

The minutes of the January 12, 2017 regular Board meeting were reviewed by the Board; and there being no additions, corrections or deletions;

**MOTION** by Lacey, seconded by Madeline, to approve the January 12, 2017 regular Board meeting minutes as presented. A vote was taken. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

**CORRESPONDENCE:** None.

**TREASURER'S REPORT:** Treasurer Mason gave the following Treasurer's Report: General Fund Beginning Balance of \$405,636.08 receipts of \$170,058.75; Interest of \$41.35; Distributions of \$34,726.25 for a New Balance of \$541,009.93; General Fund CDARS savings account has \$202,406.02. Public Safety has \$84,670.51; Public Safety CDARS Savings account has \$50,601.50; Fire Millage has \$88,542.72; Fire Millage CDARS Savings account has \$50,601.50; Fire Escrow has \$81,182.02; Fire Escrow CDARS Savings account has \$50,601.50. (All CDAR amounts are the same as January as the CDAR statement has not been received from the bank yet).

**MOTION** by Lacey seconded by Madeline to approve the Treasurer's Report as presented. A vote was taken. Ayes: All; Nays: None. Absent: None. **MOTION CARRIED.**

**POLICE REPORT:** Deputy Barrett gave the following police report: there were 153 calls in the month of January with 95 of the calls handled by the Township deputies.

**PUBLIC TIME:** None.

**OLD BUSINESS:**

**1. Medical Marijuana-Andy Shango RYO:**

Supervisor Ochadleus stated that the township board is considering authorizing the Planning Commission to draft a medical marijuana ordinance and reviewed how the law is being interpreted at this point. The owner of R.Y.O. Distribution, Andy Shango, brought a revised business plan and discussed the medical marijuana growing and processing operation he would like to open.

County Commissioner Linda Jarvis stated that Sheriff McKenna is putting together an informational forum regarding medical marijuana. Supervisor Ochadleus stated that if the board passes a resolution to authorize the Planning Commission to develop an ordinance it does not mean that the township is opting in or opting out of allowing the growing and processing of medical marijuana. Treasurer Mason stated that she would like to know the cost of developing an ordinance and would like more information before she makes a decision. Attorney Gildner stated that he would be involved with the township planners in developing an ordinance. There was lengthy discussion. Supervisor Ochadleus asked the board to adopt a resolution to authorize the Planning Commission to develop an ordinance pertaining to the growing and processing of medical marijuana.

**MOTION** by Mason, seconded by Herpolsheimer to postpone a decision on adopting a resolution authorizing the Planning Commission to develop an ordinance pertaining to medical marijuana to give the board more time to investigate the cost of developing the ordinance and to receive more information. A roll call vote was taken. Herpolsheimer: Aye; Mason: Aye; Lacey: Aye; Madeline: Aye and Ochadleus: Nay. Ayes: Four. Nays: One. Absent: None. **MOTION CARRIED.**

**2. Museum Expansion Resolution:**

Supervisor Ochadleus presented the history of the Attica Township Historical Society, how the current museum came into existence and how it functions. Supervisor Ochadleus stated that the Attica Township Museum curator, Janet O'Donnell, and her group of volunteers have done a phenomenal job but they cannot accept any more artifacts as there is no longer room for them in the museum. Supervisor Ochadleus went on to state that it is a point of pride that Attica Township has a beautiful park, walking trail, township hall and fire station, all of which were controversial, that has led to the wish to have a museum to be proud of.

Supervisor Ochadleus stated that the board budgeted \$70,000.00 for the museum, however when the project was put out for bid only one was received which was for \$191,000.00. Supervisor Ochadleus stated that he has found a contractor that will do the

project on a turnkey basis for \$150,000.00 including site work and septic. Treasurer Mason stated that there is \$70,000.00 already budgeted for the museum that could be used.

There was lengthy discussion between the board, museum volunteers and residents.

**MOTION** by Ochadleus to authorize the Attica Township Supervisor to enter in to an agreement to expand the museum at a cost not to exceed \$150,000.00. The motion died for lack of support.

**3. Approve Additional \$2,518.08 for Bathroom Improvement:**

**MOTION** by Lacey, seconded by Herpolsheimer to move money from the contingency fund for the bathroom project. A roll call vote was taken. Herpolsheimer: Aye; Mason: Aye; Ochadleus: Aye; Lacey: Aye and Madeline: Aye. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

**NEW BUSINESS:**

**1. Reapprove rezoning of 44-003-010-006-40 and 44-003-010-006-09 from R-1 to B-2, A2Z Storage Facility:**

The rezoning of A2Z Storage was approved at the April 14, 2016 township board meeting but the planners failed to publish the rezoning therefore it needs to be reapproved.

**MOTION** by Lacey, seconded by Mason to reapprove the Planning Commission's recommendation of the rezoning from R-1 One Family Residential to B-2 General Business of 440 N. Lake Pleasant Road parcel number 44-003-010-006-40 and 440 N. Lake Pleasant Road parcel number 44-003-010-006-09, A2Z self-storage facility for the reasons stated in *clearzoning*®'s review of the rezoning of the parcels and due to the fact that the rezoning is consistent with Attica Township's Master Plan. A vote was taken. . Ayes: All. Nays: None. **MOTION CARRIED.**

**2. Approve Interlocal agreement with Lapeer County EMS:**

Supervisor Ochadleus reviewed the amended Lapeer County EMS Interlocal Agreement.

**MOTION** by Herpolsheimer, seconded by Mason to approve the attached Third Amended Interlocal Agreement with Lapeer County Emergency Medical Service Authority. A roll call vote was taken. Madeline: Aye; Lacey: Aye; Ochadleus: Aye; Herpolsheimer: Aye and Mason: Aye. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

**3. IRS Mileage Rate Decrease for 2017:**

**MOTION** by Herpolsheimer seconded by Lacey to decrease the maximum amount for mileage reimbursement for township employees for business miles driven in the employee's personal vehicle to the standard IRS mileage rate of 53.5 cents per mile. A vote was taken. Ayes: All. Nays: None. Absent: None.  
**MOTION CARRIED.**

**4. Polly Ann Trail Resolution:**

Supervisor Ochadleus reviewed the Polly Ann Trail Extension Resolution. There was discussion.

**MOTION** by Herpolsheimer seconded by Mason to adopt the attached resolution to support the submission of a Michigan National Resources Trust Fund Application for the "Polly Ann Trail Extension". A roll call vote was taken. Ochadleus: Aye; Madeline: Aye; Mason: Aye; Herpolsheimer: Aye and Lacey: Aye. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

**COMMITTEE REPORTS:**

1. FIRE: Chief Warford reported:
  - a) The fire department assisted on two structure fires since the last board meeting.
  - b) There was one fire in Attica since the last Board meeting.
  - c) The fire department had one personal injury accident on Summers Road that required the Jaws of Life. The Dryden Fire Department assisted.
  - d) Three fire fighters were trained in Level II Ice Rescue on February 4. Most of the fire department is now Level II Ice Rescue trained.
  - e) The fire department is holding a fundraiser pancake breakfast on Feb 25 from 8 a.m. – noon.
2. PARK: Park Manager Madeline reported that all is quiet although there are still walkers using the track.
3. PLANNING COMMISSION: Planning Commission Secretary Lemons reported:
  - a) The Planning Commission rejected the revised site plan of A2Z Storage due to unapproved changes.
  - b) A Public Hearing was set to make necessary amendments to the sign ordinance to comply with a Supreme Court ruling.
  - c) Planner Bibby is drafting an ordinance pertaining to solar farms.

- d) A Public Hearing was set to make amendments to 2.2 Public Access of Property ordinance.
- e) A Public Hearing was set for conditional rezoning of Greg Eastin's property.
- 4. ATTORNEY REPORT: Attorney Gildner stated that it has been very quiet and that he worked on the key holing issue with Planner Bibby.
- 5. AMBULANCE: Supervisor Ochadleus discussed the issue of transparency of the Lapeer County EMS millage
- 6. COMMISSIONER'S REPORT: Commissioner Jarvis reported:
  - a) The new Lapeer County Sheriff and the Lapeer County Sheriff's Department has her full support and respect.
  - b) VAAA is putting on a workshop February 26<sup>th</sup> at the senior center in North Branch.
- 7. Board: None.
- 8. Public Time: None.

**REVIEWING AND PAYING BILLS:**

The bills were reviewed by the Board for the General Fund for the amount of \$38,627.18 (check #18410 through check #18472); Public Safety for the amount of \$13,468.54 (check #1221) and the Fire Fund for the amount of \$12,208.25 (check #4429 through check #4456). For a total of \$64,303.97. There being no further questions:

**MOTION** by Lacey seconded by Madeline to approve the bills as presented. A roll call vote was taken. Herpolsheimer: Aye; Madeline: Aye; Lacey: Aye; Mason: Aye and Ochadleus: Aye. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

There being no further business before the Board, **MOTION** by Lacey seconded by Madeline to adjourn the meeting at 8:14 p.m. A vote was taken. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

Submitted by:

Respectfully Submitted by:

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Valerie Schultz, Deputy Clerk

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Nancy Herpolsheimer, Clerk

